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C O N F I D E N T I A L SECTION 01 OF 02 ISTANBUL 000029

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TAGS: [PHUM](#) [PGOV](#) [KIRF](#) [AM](#) [TU](#)
SUBJECT: HRANT DINK SUCCESSOR: PROPOSED ARTICLE 301 CHANGES
POSITIVE IN SHORT TERM

REF: A. ANKARA 0059

[1](#)B. 07 ISTANBUL 0896

Classified By: Consul General Sharon A. Wiener for reasons 1.4 (b) and (d)

[1](#)1. (C) Summary and comment. During a January 9 meeting at Agos newspaper headquarters, Consul General discussed the status of constitutional and democratic reform in Turkey with Etyen Mahcupyan, editor-in-chief of the Armenian weekly and head of the Turkish Economic and Social Studies Foundation's (TESEV's) Democratization Program. Though he would prefer to see it abolished, Mahcupyan characterized proposed changes to the controversial Turkish Penal Code Article 301 (dealing with "insulting Turkishness") as positive in the short term. A close friend and successor at Agos to Hrant Dink - the prominent human rights advocate assassinated nearly a year ago by an ultranationalist youth and who many believe became a target following his 2005 Article 301 conviction - Mahcupyan is uniquely positioned to comment on such issues. Perhaps no other organization has suffered more from Article 301 than Agos. Dink's son Arat, a managing editor at the paper, and his colleague Sergis Seropyan are in the process of appealing their own October 11, 2007 Article 301 convictions. End summary and comment.

The Headscarf: Turkey's Burnt Bra

[1](#)2. (C) Hrant Dink's successor as editor-in-chief of the Armenian language Agos newspaper Etyen Mahcupyan discussed constitutional and democratic reform in Turkey, among other issues, during a January 9 meeting with the Consul General. Responding to Consul General's inquiry concerning the state of affairs for minorities in Turkey, Mahcupyan argued that Turkey is at a crossroads. How it handles minority problems is an indicator of what kind of democracy Turkey will become. He noted Turkey is more transparent than in the past and praised the ruling Justice and Development Party (AKP) for its sincere desire to reform. Pointing out the lack of a strong opposition party, Mahcupyan described politics in Turkey as a dispute between the government and the traditional establishment.

[1](#)3. (C) Attributing lack of progress on EU accession reforms to diluted external pressure and an absence of internal competition, Mahcupyan claimed the government was engaged in politics based on intentions and not policies. The government has nothing to lose by maintaining the status quo. In the meantime, it has everything to gain by advertising its intentions and measuring the response. He trusts the government's desire to change things, but recognized it was of prime importance to not cause a crisis.

14. (C) Still, Mahcupyan believed change was on the horizon, beginning with Article 301 the week of January 14 and the Foundations Law and Constitution soon thereafter. He characterized four changes to Article 301 (ref A), widely covered in press as the likely, final government proposal, as positive in the short term. The proposed amendment requiring Justice Minister (or a separate government appointed council) vetting of Article 301 charges is an improvement as long as the current government is in power, he cautioned. Mahcupyan credited the AKP and Prime Minister Erdogan for making "critical" changes to the Constitution, which he believed would be accepted if approached in a balanced manner, favoring freedoms in general without focusing on any one issue (i.e., headscarves in universities). "Change will be slow but the direction is more important than the pace," said Mahcupyan.

15. (C) Regarding the controversial headscarf issue, Mahcupyan expected that in a few years, different university campuses will behave differently and eventually the issue will resolve itself. He described Turkey's secularists - those opposed to allowing headscarves in universities - as a community in and of themselves. According to studies he directed as the head of TESEV's Democratization program, most families in Turkey were against their daughters wearing headscarves in the political fashion. The headscarf has become a symbol for "liberated" women seeking to rebel against their parents and state authorities.

16. (C) In response to Consul General's inquiry concerning the GOT's approach to combating the PKK, Mahcupyan opined the government had no real policy beyond the military approach but would likely test different options because it does want to do something. Continuing a theme evident throughout the

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discussion, he believed the government would try out ideas while avoiding big risks and would slowly and systematically push for a more positive picture, including greater freedom for the use of Kurdish language and increased autonomy for municipalities. Mahcupyan expected the AKP to make significant gains in majority Kurdish provinces during 2009 municipal elections because Kurds realize the AKP is the only actor that can achieve results.

Turkish Identity and Armenian "Genocide"

17. (C) Pointing out that the proposed U.S. Congressional Armenian genocide resolution that weighed heavily on the U.S.-Turkish relationship when they had first met in September (ref B) had since been temporarily shelved, Consul General asked whether anything was being done in Turkey to come to terms with the events of 1915 or advance reconciliation with Armenia. Mahcupyan lamented that Europeans and Americans don't understand the psychological challenge for Turks to come to terms with this part of their history: accepting "genocide" means accepting that the founders of the Republic were culpable. "It is only within the last few years that Turks are realizing they don't know their history, but at the same time they don't want to learn the truth and certainly not from outsiders," proffered Mahcupyan.

18. (C) Speculating on the sources of these educational challenges, Mahcupyan explained the identity of a Turkish citizen is defined by the State. Because Turks are so diverse there is no such thing as a Turkish cultural identity, only a political identity. This state-defined political identity provides a "psychological umbrella" that has inhibited the Turkish public from facing its history. Still, society is changing, Mahcupyan believes, as demonstrated by the movement responsible for AKP's success. Muslims are trying to differentiate themselves from the founders of this country, thus transforming Turkish identity

to one based on religion. The Armenian Diaspora is very superficial and does not understand the internal politics in Turkey underlying the "genocide" issue, he added. "In Turkey, when you talk about Armenian 'genocide,' five minutes later you're talking about a very different thing," Mahcupyan said, referring to Turkish identity.

WIENER